



February 3, 2009

HOUSE BILL No. 1311

DIGEST OF HB 1311 (Updated January 28, 2009 1:01 pm - DI 97)

Citations Affected: IC 20-20; noncode.

Synopsis: Hearing aid program. Establishes the hearing aid fund to be administered by the department of education to pay for hearing aids for school corporation students. Requires the department of education to establish a hearing aid refurbishing program. Makes an appropriation.

Effective: July 1, 2008 (retroactive).

Goodin, Fry

January 13, 2009, read first time and referred to Committee on Insurance.
February 2, 2009, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

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HB 1311—LS 6377/DI 97+



February 3, 2009

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

HOUSE BILL No. 1311

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 20-20-37 IS ADDED TO THE INDIANA CODE
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2008 (RETROACTIVE)]:

4 **Chapter 37. Hearing Aids for School Corporation Students**
5 **Program**

6 **Sec. 1. As used in this chapter, "fund" refers to the hearing aid**
7 **fund established by section 2 of this chapter.**

8 **Sec. 2. The hearing aid fund is established for the purpose of**
9 **providing funding to school corporations for payment for hearing**
10 **aids for hearing impaired students of the school corporation.**

11 **Sec. 3. The fund shall be administered by the department.**

12 **Sec. 4. The fund consists of appropriations from the general**
13 **assembly, gifts, bequests, and other sources of funding.**

14 **Sec. 5. The expenses of administering the fund shall be paid**
15 **from money in the fund.**

16 **Sec. 6. The treasurer of state shall invest the money in the fund**
17 **not currently needed to meet the obligations of the fund in the same**

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manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

Sec. 7. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) There is annually appropriated to the department from the fund an amount sufficient for the purposes of this chapter.

Sec. 8. (a) A school corporation may at any time apply to the department for funding from the fund to pay for a hearing aid that is:

(1) prescribed:

(A) by a physician who is licensed under IC 25-22.5; and

(B) to a hearing impaired student of the school corporation; and

(2) prescribed, fitted, and dispensed for the student by an audiologist who is licensed under IC 25-35.6.

(b) The department shall, upon receipt of an application made under subsection (a), provide payment from the fund for the hearing aid.

Sec. 9. The department shall give funding priority to applications under this chapter for students who are less than fourteen (14) years of age.

Sec. 10. (a) The department shall create a hearing aid refurbishing program through which hearing aids that are no longer used by school corporation students and other individuals are collected and refurbished for the use of other individuals.

(b) The department may enter into an agreement with another organization to implement this section.

SECTION 2. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)] There is appropriated to the hearing aid fund established by IC 20-20-37 three million dollars (\$3,000,000) from the higher education commission operating account for purposes of implementing IC 20-20-37, as added by this act.

SECTION 3. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1311, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

Page 1, delete lines 1 through 17, begin a new paragraph and insert: "SECTION 1. IC 20-20-37 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]:

Chapter 37. Hearing Aids for School Corporation Students Program

Sec. 1. As used in this chapter, "fund" refers to the hearing aid fund established by section 2 of this chapter.

Sec. 2. The hearing aid fund is established for the purpose of providing funding to school corporations for payment for hearing aids for hearing impaired students of the school corporation.

Sec. 3. The fund shall be administered by the department.

Sec. 4. The fund consists of appropriations from the general assembly, gifts, bequests, and other sources of funding.

Sec. 5. The expenses of administering the fund shall be paid from money in the fund.

Sec. 6. The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

Sec. 7. (a) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(b) There is annually appropriated to the department from the fund an amount sufficient for the purposes of this chapter.

Sec. 8. (a) A school corporation may at any time apply to the department for funding from the fund to pay for a hearing aid that is:

(1) prescribed:

(A) by a physician who is licensed under IC 25-22.5; and

(B) to a hearing impaired student of the school corporation; and

(2) prescribed, fitted, and dispensed for the student by an audiologist who is licensed under IC 25-35.6.

(b) The department shall, upon receipt of an application made

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under subsection (a), provide payment from the fund for the hearing aid.

Sec. 9. The department shall give funding priority to applications under this chapter for students who are less than fourteen (14) years of age.

Sec. 10. (a) The department shall create a hearing aid refurbishing program through which hearing aids that are no longer used by school corporation students and other individuals are collected and refurbished for the use of other individuals.

(b) The department may enter into an agreement with another organization to implement this section.

SECTION 2. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]
There is appropriated to the hearing aid fund established by IC 20-20-37 three million dollars (\$3,000,000) from the higher education commission operating account for purposes of implementing IC 20-20-37, as added by this act.

SECTION 3. An emergency is declared for this act."

Delete pages 2 through 3.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1311 as introduced.)

FRY, Chair

Committee Vote: yeas 7, nays 0.

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